

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
 :
 UNITED STATES OF AMERICA : CONSENT PRELIMINARY ORDER
 - v. - : OF FORFEITURE/
 : MONEY JUDGMENT
 ELENA LOKSHIN, : S1 20 Cr. 681 (JPC)
 Defendant. :
 :
 ----- x

WHEREAS, on or about December 16, 2020, ELENA LOKSHIN (the “Defendant”), was charged in Superseding Indictment S1 20 Cr. 681 (JPC) (the “Indictment”), with conspiracy to commit mail fraud, wire fraud, and health care fraud, in violation of Title 18, United States Code, Section 1349 (Count One); mail fraud, in violation of Title 18, United States Code, Sections 1341 and 2 (Count Two); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Three); healthcare fraud, in violation of Title 18, United States Code, Sections 1347 and 2 (Count Four); and conspiracy to violate the Anti-Kickback Statute, in violation of Title 18, United States Code, Section 371 (Count Five);

WHEREAS, the Indictment included a forfeiture allegation as Counts Two through Four of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, of any and all property constituting or derived from any proceeds traceable to the commission of the offenses charged in Counts Two through Four of the Indictment, including not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts Two through Four of the Indictment;

WHEREAS, on or about October 20, 2023, the Defendant pled guilty to Counts

One through Five Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations and agreed to forfeit proceeds traceable to the commission of the offenses to which she pled guilty;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$50,500 in United States currency, representing the amount of proceeds traceable to the offenses charged in Counts Two through Four of the Indictment that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts Two through Four of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys Daniel Nessim and Nicholas W. Chiuchiolo, of counsel, and the Defendant and her counsel, Michael Farkas, Esq., that:

1. As a result of the offenses charged in Counts Two through Four of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$50,500 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts Two through Four of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant ELENA

LOKSHIN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, 26 Federal Plaza, New York, New York 10278 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: Daniel Nessim
DANIEL G. NESSIM
NICHOLAS W. CHIUCHIOLO
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(212) 637-2486

12/9/2024
DATE

ELENA LOKSHIN

By: ELENA LOKSHIN
ELENA LOKSHIN

12/12/24
DATE

By: M. Farkas
MICHAEL FARKAS, ESQ.

12/12/24
DATE

SO ORDERED:

J.P.C.
HONORABLE JOHN P. CRONAN
UNITED STATES DISTRICT JUDGE

12/12/24
DATE